

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-1-.02 **Composition And Selection Of Board.**

(1) Composition and Selection of Board. The Board shall be composed of nine members, eight of which shall be licensed to practice and are currently practicing in Alabama who meet the qualifications set out in Code of Ala. 1975, §§34-24-140, 34-24-141 and one consumer member appointed by the Governor. Members serve staggered four-year terms and continue to serve until a new member is appointed/elected, and qualified. No member shall serve more than two consecutive terms. The Alabama State Board of Chiropractic Examiners shall conduct an annual election according to the terms set out in this rule. When a vacancy occurs, whether by expiration of the term, death, resignation of a member, or other cause, the vacancy shall be filled in the same manner as the original appointment/elections are made.

(2) Candidate/Elected Member Qualification. In order to qualify the potential candidate/ elected member must meet the following qualifications:

(a) Be a citizen and a resident of Alabama who has resided in this State for at least five (5) years;

(b) Reside in the Congressional district from which they seek election, except for one African American elected from the state at-large;

(c) Be a graduate of a chartered chiropractic school which required actual attendance in the school as a prerequisite to graduation;

(d) Be actively licensed in Alabama and currently engaged in the clinical practice of chiropractic and have been so engaged for at least the five (5) immediately preceding years;

(e) Have renewed his or her license to practice chiropractic by September 30 of the year in which the election shall take place;

(f) Be of good moral character, with no board convictions in the five (5) years preceding qualification, no prior criminal convictions, and no recent history of drug or alcohol abuse; and

(g) Must not be presently on probation relating to the practice of chiropractic in any state including this state; and

(h) ~~Submit a completed qualification form to the Board not less than 20 days prior to the election or within the time stated in the Notice of Election.~~ Candidates shall qualify by submitting their name to the executive director of the board

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

during the qualifying period which shall be not less than twenty (20) days nor more than forty (40) days after notice of the election.

(i) Each member of the board shall meet all qualifications to be a candidate for his or her seat on the board during his or her entire term. Any member who fails to continue to meet the qualifications for his or her seat shall forfeit his or her seat on the board and resign or the board seat shall be declared vacant by the board.

(3) Voter Qualification. In order to be eligible to vote in a board election you must meet the following qualifications:

- (a) Reside in the respective congressional district.
- (b) Certify your residency in the congressional district on your completed ballot.
- (c) Have an active Alabama license.
- (4) Ballots.
- (a) ~~An official ballot will be sent to each qualified voter in the respective district not less than 14 days and not later than 120 days after the deadline for qualification. Not less than fourteen (14) days after the deadline for qualification, each licensed chiropractor shall be mailed a ballot for the appropriate congressional district where the vacancy is to be filled.~~
- (b) ~~In order to be counted it must be received by the Board the ballot shall be returned to the independent agency conducting the election, not later than 14 days after the ballots are were mailed by the board.~~

~~(c) Each official ballot must be returned in the official envelope in order to be counted.~~

~~(d)~~ (c) Only original, official ballots will be counted.

~~(e)~~ (d) The ballots ~~will~~ shall be maintained for a period of six (6) 6 months by the independent agency conducting the election. ~~Executive Director of the Board as public information~~

(5) Ballot Counting. ~~As soon as possible, after the deadline for board reception of ballots the Executive Director will deliver by hand or mail all of the unopened ballots to an independent agency employed by the Board for the purpose of~~

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

~~tabulating the votes and declaring a majority winner. Unless there is only one candidate for the board and in this situation, the board shall certify the results. The results of the election shall be certified by no less than three members of the board. The candidate with a simple majority of the votes cast in each respective congressional district shall be declared the winner. In the event that no majority is gained by a candidate run-off ballots will be sent out within 14 days of the completion of the ballot tabulation and a run-off election between the two largest vote recipients will be held.~~

~~Immediately upon being declared the winner, the elected member shall take office.~~

The independent agency conducting the election shall tabulate eligible ballots and shall certify the results. The candidate receiving a simple majority of eligible ballots in the applicable congressional district shall be certified as the winner and deemed elected.

In the event no candidate in a congressional district receives the required majority there shall be a run-off election in the same manner as set out in Code of Alabama 1975 § 34-24-140.

The individual(s) certified as the winner of the election in their district shall take office immediately upon their election.

Effective: 3-6-90, amended 8/06, amended 1/97, (1), (2)(D), (3)(C), (5) amended 8/2003,
(1)(2)(B)(D)(F)(G) amended 6/06, (2)(A)(5) amended 3/2009;
amended 6/2013, (2)(h)(4)(a)(b)(e)(5)(6) amended 8/2015
Authority: 34-24-140; 34-24-141; 34-24-144; 34-24-165

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-140, 34-24-141, 34-24-144, 34-24-165.

History: Filed September 30, 1982. **Emergency rule** filed July 21, 1986. **Amended:** Filed November 8, 1988; January 31, 1990. **Amended:** Filed September 19, 1996; effective October 24, 1996. **Amended:** Filed January 21, 1997; effective February 25, 1997. **Amended:** Filed November 6, 2003; effective December 11, 2003. **Amended:** Filed August 24, 2006; effective September 28, 2006. **Amended:** Filed June 18, 2009; effective July 23, 2009.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-1-.18 Fees. Fees shall be as follows:

(1) License Application Fee \$150-00
~~An application fee not to exceed \$150.00 shall be required of all applicants for licensure. The exact fee shall be set from time to time by resolution of the Board. An applicant for a license shall submit to the Board the application fee of \$150.00.~~

(2) Exam Application Fee \$150
~~An applicant for licensure or permit must complete the application form and submit an examination fee in the amount of \$150.00 a fee of \$150 pursuant to Rule 190-X-2-.17.~~

(3) Original License or Permit ~~\$75~~ \$50
~~Upon completion of all requirements for licensure or permit and payment of the license/permit issuance fee of not more than \$50.00 as set from time to time by resolution of the Board, an applicant shall be issued a license/permit. An applicant for a license or permit shall submit to the Board the initial issuance fee of \$75.00.~~

(4) Clinic Owner Non Licensed \$300
~~An applicant for a permit shall submit to the Board an initial or renewal application as prescribed by the Board, along with a permit fee to be established by the Board in the amount of \$300.00.~~

(5) Permit or License Replacement or Duplicate ~~\$75~~ \$50
~~The fee for any replacement permit or license shall be \$50.00 \$75.00. Upon request, a duplicate chiropractic license or facility permit may be issued upon payment of a fee in the amount of \$75.00.~~

(6) Renewal-Active \$300
~~A fee not exceeding \$300.00 to be fixed by rule of the Board is required for annual license renewal. The annual license renewal fee is \$300.00.~~

(7) Renewal-Retired \$150
~~The annual fee for maintenance of a retired license may not be more than one half that provided in 190-X-2-.11 (6) for an active license. is \$150.00.~~

(8) Renewal-Inactive \$150
~~The annual fee for an inactive license shall be one half of the amount required by 190-X-2-.11(6). is \$150.00~~

(9) Late Fees for Licensees and Clinic Owner Non Licensed \$100 - \$300 ~~\$50-250~~

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

The late penalty for renewal during the month of October is ~~fifty dollars (\$50)~~ one hundred (\$100), for renewal during the month of November is ~~one~~ two hundred dollars ~~(\$100)~~ (\$200) and for renewal during the month of December is ~~two~~ three hundred and ~~fifty~~ dollars ~~(250)~~ (\$300)

(10) Reinstatement \$150 - 2,500
~~In the event~~ any licensee or permit holder who allows his/her license to lapse past December 31 ~~and desires to return to active practice, he/she must~~ apply to the Board for a reinstatement of the license or permit and must submit to the Board a reinstatement fee of \$150.00 together with all back fees including the highest late renewal fee and a penalty in the amount of \$2,500.

(11) Preceptor Doctor \$25/month (\$75/quarter)
~~Contribute~~ Shall submit \$25.00 monthly (payable the first quarter with the preceptor application and thereafter quarterly in advance.) ~~to the Alabama State Board of Chiropractic Examiners to defray expense of administration of this program only when the Preceptor actually has an extern or intern in the office.~~

(12) Disciplinary Fines \$500-2,000 per violation
(a) The Board may impose a fine not to exceed \$2,000 for each violation ~~off~~ of any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class A violations)

1. Section 34-24-166(b) (1);
2. Section 34-24-166(b) (2);
3. Section 34-24-166(b) (3);
4. Section 34-24-166(b) (4);
5. Section 34-24-166(b) (5);
6. Section 34-24-166(b) (6);
7. Section 34-24-166(b) (9);
8. Section 34-24-166(b) (10);
9. Section 34-24-166(b) (11);
10. Section 34-24-166(b) (12); and
11. Section 34-24-166(b) (15);

(b) The Board may impose a fine not to exceed \$1,000 for each violation of any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class B violations):

1. Section 34-24-166(b) (7); and
2. Section 34-24-166(b) (8);

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

(c) The Board may impose a fine not to exceed \$500 for each violation of any of the following provisions ~~off~~ of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class C violations);

1. Section 34-24-166(b) (13);
2. Section 34-2 4-166(b) (14);
3. Section 34-24-166(b) (16); and
4. Section 34-24-166(b) (17)

(13) Disciplinary Costs Up to \$8,000 per guilty count

The Board may impose actual costs ~~in the amount of~~ up to \$8,000 per violation. ~~, in connection with any hearing held in connection with the refusal of a license or permit pursuant to Code of Ala. 1975, 34-24-166(a).~~

(14) Annual Directory \$50

~~The Board shall publish annually a directory listing all permit holders and all persons licensed to practice chiropractic in Alabama.~~ Copies of the directory shall be made available from the Executive Director ~~at cost, which cost shall be estimated and set from time to time by resolution of the Board.~~ upon the payment of \$50 per copy.

(15) CCE Provider/Course Approval Application \$75/per module

(16) 5 Year CCE History \$25 per licensee

(17) Permit holder or Licensee Listing (paper list) \$50

(18) The following fee schedule will apply to all organizations (except state and local government agencies) requesting information from the licensee or clinic databases:

(a) A fee of ten cents (\$.10) per record, up to (10) data fields, and a fee of one cent (\$.01) for each data field exceeding ten (10) will be charged. These fees apply to data released via email or CDROM disks in Microsoft Excel format;

(b) Additional charges will incur for (but may not be limited to) the cost of CDROM disks (\$2.00) each), plus postage;

(c) A minimum total fee of (\$75.00) will be charged for each request.

(d) State and local government agencies will be exempt from all charges except for materials used. These agencies may choose to supply their own CDROM disks and pick up the data, thereby avoiding all charges.

(19) Mailing Labels (paper) \$55

(20) License Verification \$12.50

Any permit holder or licensee who requires written verification of his/her Alabama license or permit may request certification upon payment of a fee of \$ 12.50 each.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

(21)	Copy of Rules (paper)	\$50
(22)	Copies	.50 cents/page plus postage
(23)	NSF Fee	Max allowed by law
Pursuant to Code of Ala. 1975, 8-8-15, this fee must accompany any check, or other negotiable instrument drawn on a bank or other depository institution and made payable to the Board, if the instrument is not paid or is dishonored by the institution.		
(24)	Fee to resend Mail	\$25
(25)	Rule Subscription	\$10 (annual subscription)
(26)	Licensure by Credentials	
	(a) Application Fee	\$1,000
	(b) Application Hearing Fee <u>(if applicable)</u>	\$2,000

Effective: 6/2008; amended 1/09; amended 4/2010, amended 01/2011 (10) (15), amended 6/2013 (2) (5) (10) (12) (14), amended 10/2013 (20) (26), amended 10/2014 (2) (3) (4) (7) (8), amended 8/2015 (1) (2) (3) (4) (5) (6) (9) (10)

Author: ASBCE

Statutory Authority: Code of Ala. 1975, 34-24-144; 34-24-16(e); 34-24-166(c) (1) .

History: New Rule: Filed August 19, 2008; effective September 23, 2008. **Amended:** Filed January 29, 2009; effective March 5, 2009. **Amended:** Filed June 18, 2009; effective July 23, 2009. **Amended:** Filed April 13, 2010; effective May 18, 2010. **Amended:** Filed June 1, 2011; effective July 6, 2011.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-2-.01 Requirements For Licensure By Examination.

(1) All applicants, who graduated from chiropractic college after January 1, 2010, shall have a bachelors degree from an accredited college or university or an academic graduate degree from a regionally accredited college or university and evidence of passing a nationally recognized standardized test commensurate with the referenced degree. In addition, the applicant shall be a graduate of a chartered chiropractic school or college accredited by the council of chiropractic education which teaches only attendance courses and requires a minimum four-year standard college course.

(2) Each applicant shall submit a properly completed Alabama Bureau of Investigation (ABI) Form - 46 and required processing fees for a criminal background report.

(3) Each applicant shall submit ~~a properly completed ABI Form - 46~~ and Federal Bureau of Investigation (FBI) fingerprint cards and required processing fees for an FBI criminal background report.

(4) The applicant shall submit an application fee and an examination fee in the amounts set forth by Board Rule. The fees must be in the form of a cashier's check, bank certified check, or money order only. These fees are non-refundable.

(5) Each applicant shall be of good moral character, a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.

(6) Application Required

(a) Application Form. Each applicant for licensure shall fully complete an application form prescribed by the Board.

(b) Documentation. The documents indicated below must be received by the Board before an application will be processed.

1. The following must be submitted to the Board directly from the respective institution, organization or state licensing agency:

(i) A wallet or passport size photograph.

(ii) A certified transcript of the applicant's college grades showing graduation from an accredited college or university with a bachelor's degree.

(iii) A certified transcript of the applicant's chiropractic college grades showing graduation from an approved chiropractic college.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

(iv) A certified copy of the applicant's transcript of scores of the National Board of Chiropractic Examiners showing the applicant has passed the necessary examinations administered/required by that Board.

(v) Verification(s) of licensure (out of state license holders only).

(vi) Verification that the applicant is a citizen of or is legally present in the United States by submitting any of the form(s) or type(s) of documentation specified on the application.

(c) Notarization Required. Paper applications must be signed and notarized.

(d) Deadline for Application. Complete application, including all documents and any fees must be received and approved by the Board before an examination is scheduled.

(7) Examination Required.

(a) National Board Examination. Each applicant who matriculated into chiropractic college after January 1, 1973, must pass one of the following combinations of examination:

1. NBCE I, II, III & IV

2. NBCE I, II and SPEC

(b) Alabama Board Examination.

1. In addition to the examination referenced in (a) above, each applicant must pass an examination administered by the Board relating to State Law and Regulations.

2. Passing Grade. A score of seventy - five percent is required.

3. Re-examination. An applicant must pay a fee of \$150 before a re-examination is scheduled.

4. Scores Released. The Board shall notify each examinee of the examination results within 30 days of the examination.

(8) Issuance of License.

(a) ~~Fee. In order to have a license issued a fee of \$50.00 must be submitted~~ The applicant shall pay a fee established by board rule for the issuance of a license.

(b) Time Limitation. An applicant shall not practice chiropractic until payment of the appropriate license issuance fee. An applicant who passes all required examinations but has not paid the license issuance fee and obtained a license within 12 months following the date of passing must reapply.

(c) Signatures Required and Effective Date. Each license shall be signed by the Executive Director and the President of the Board. The license shall be recorded with the judge of probate where the doctor practices as specified in the

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

Code of Alabama 1975, 34-24-164, and evidenced by the return of the completed form or proof of recordation to the Board office.

Effective: 3/6/90, amended 5/91, amended 8/93, (3) amended 3/2009, amended 10/2012, (1) (2) (3) (4) (5) (6) (7) (8) amended 6/2013 amended 10/2014 (6) (b) (1.vi), amended (8) (a) 8/2015

Author:

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-160, 34-24-161; 34-24-163; 34-24-165.

History: Filed September 30, 1982. **Amended:** Filed January 29, 1990. **Amended:** Filed March 22, 1994; effective April 26, 1994. **Amended:** Filed August 24, 2006; effective September 28, 2006. **Amended:** Filed June 21, 2010; effective July 26, 2010. **Repealed and New Rule:** Filed January 16, 2013; effective February 20, 2013.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X 2-.08 Verification Of Licensure. Any permit holder or licensee who requires written verification of his/her Alabama permit or license may request certification upon the payment of a fee ~~of \$12.50 each~~ established by board rule. A written verification may also be requested on the Board website upon the payment of the fee.

Effective: June 22, 1993, amended 8/2015

Author:

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165.

History: Filed September 30, 1982. **Amended:** Filed January 29, 1990. **Amended:** Filed May 18, 1993. Effective: June 22, 1993.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-2-.11 Renewal Of License.

(1) Annual Renewal Required. Each license shall be subject to renewal on September 30 of the year for which it is issued and every person having a valid license may on or before September 30th renew the license for the ensuing year by completing the renewal application, submitting documentation as set forth below and with the payment to the State Board of Chiropractic Examiners of the fees set forth below.

(2) Continuing Professional Education Required. A minimum of 18 hours of continuing education as approved by the Alabama State Board of Chiropractic Examiners is required annually for license renewal.

(a) As a condition of licensure renewal, a chiropractor must obtain every year a minimum of two (2) hours of continuing education in Board approved courses on chiropractic regulation and compliance with the Alabama Chiropractic Practice Act and Board rules. The two (2) hours are included in the minimum of 18 hours.

(b) Any individual who is initially licensed as a chiropractor in this state after October 1, 2011 shall complete as part of the continuing education requirement four (4) hours of continuing education in Board approved courses on chiropractic regulation and compliance with the Alabama Chiropractic Practice Act and Board Rules as a condition of renewal for the year following their initial licensure.

(c) The requirement set forth in (a) and (b) above may be satisfied by distance-based continuing education in addition to the distance-based education allowed in paragraph (3).

(3) No more than one third (1/3) of the required hours may be completed in a distance based continuing education format which complies with the provisions of this rule. Annually shall mean October 1 - September 30 of each year.

(a) All providers of distance based continuing education courses must be an entity approved by the Board as set forth by Board Rule 190-X-1-.19.

(4) The continuing educational requirement for the purpose of license renewal for any person who has graduated from a recognized CCE chiropractic college within the licensure year immediately preceding the licensure year indicated on the license renewal form except hours required in (2)(b) above may be met through attendance at a recognized CCE chiropractic college (a minimum of 18 hours). This applies only to the first license renewal period after initial licensing.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

During the grace period (October 1 to December 31) for renewal, a licensee may complete any continuing education requirements for renewal that the licensee failed to complete during the prior fiscal year. Hours obtained during the grace period do not qualify or apply to the deferral procedure outlined below. Hours must be received in the board office before January 1 to avoid reinstatement.

(5) Educational Requirement May Be Waived Or Deferred.

(a) A licensee who cannot complete the continuing educational requirements because of personal physical illness or disability, military service or other circumstances beyond the licensees control which the board deems to be sufficient to impose a hardship may apply for a waiver or deferral of time to complete the continuing education requirements. Any wavier or deferral of time to complete the education requirements will be granted solely in the discretion of the board.

(b) A licensee seeking a wavier or deferral must make application on the form provided by the Executive Director of the Board, prior to the December 31 license expiration for completion of the education requirement. For waivers or deferrals due to illness, the application form must be accompanied by a written statement from a physician stating the diagnosis, prognosis and length of time the licensee will be unable to practice or attend an educational program. Waivers or deferrals due to personal physical illness or disability may be granted only to a licensee who has suffered a personal illness or personal disability of a nature that prevented or will prevent him/her from engaging in the active practice of chiropractic for a significant portion of the continuing education period.

(c) All licensees seeking wavier or deferral shall provide full and complete written documentation of the grounds supporting the reasons for which a deferral is sought. A licensee who request a wavier or deferral of time to complete the required hours of continuing education shall not engage in the active practice of chiropractic beyond December 31 of any year and until the board grants the licensee's request for wavier or deferral.

(6) Renewal Fee Required.

(a) A fee not exceeding \$400.00 is required for the annual renewal of a license to practice chiropractic; provided, however, that any increase or decrease of the renewal fee in any one (1) year shall not exceed \$25.00. \$300.00 to be fixed by rule of the Board is required for annual license renewal. The

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

~~renewal fee is \$300.00. This~~ The renewal fee may be submitted
~~in paid by cashier's check, bank~~ certified check, money order,
or credit card.

(b) A licensee who is prevented from practicing chiropractic by reason of physical disability, temporary active duty with any of the armed forces of the United States, or while any licensee is completely retired from the practice of chiropractic may request a waiver or reduction of the fee for annual renewal. The waiver or reduction shall be effective so long as the disability, temporary active duty or complete retirement continues. Licensee must notify the Board within fifteen (15) days from the onset of any claimed physical disability, temporary active duty or complete retirement as set forth above. Licensee shall notify the Board within fifteen (15) days when any such condition no longer is applicable. Forms for waiver or reduction of fees must be obtained from the Office of the Executive Director.

(7) Late Penalty. A penalty shall be charged any person who fails to complete the renewal by September 30 pursuant to Rule 190-X-.1-.18(10). ~~The late penalty for renewal completed during the month of October is fifty dollars (\$50), for renewal completed during the month of November is one hundred dollars (\$100) and for renewal completed during the month of December is two hundred and fifty dollars (\$250).~~

(8) ~~Lapsed License.~~ A chiropractor may continue to practice until December 31 of the year for which a license is issued subject to Code of Ala. 1975, Section 34-24-165(b).

(9) The license of any chiropractor who fails to renew on or before January 1st shall be automatically suspended. Any chiropractor whose license is automatically suspended shall be allowed reinstatement if on or before January 31st the chiropractor submits documentation of compliance for conditions of renewal and submits payment of the applicable reinstatement fee. Any chiropractor who seeks reinstatement due to nonrenewal after January 31st shall comply with the requirements of Code of Alabama 34-24-176.

Effective: 3/6/90, (1) amended 5/91, (4) amended 8/96, (4) amended 1/97, (1) amended 7/12/97, (4) amended 6/98, (6) amended 5/99, (1) (3) (4) (5) (6) amended 1/2000, (4) amended 12/2000, (2) (3) amended 2/2001, (2) amended 3/2002, (2) (d), (3), (4) amended 8/2003, (2) (a) (b) (c) (d) (e) 1/2004, (2) (a) (c) (e), (3) (a) (b) amended 6/2006, (1) (2) (a) amended 10/06; (6) (a) amended 1/09, (1) (5) (6) (b) amended 3/2009, (2) (b) (c) (6) (c) amended 10/2011, (6) (a) amended 6/2012, (2) (a) (c) amended 10/12,

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

(1) (3) (a) (b) (4) (5) (a) (7) amended 6/2013, amended
(2) (6) (a) (7) (8) 8/2015

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165,
34-24-172, 34-24-176.

History: Filed September 30, 1982. **Amended:** Filed
February 16, 1984; March 6, 1985; December 2, 1986;
January 29, 1990; May 21, 1991. **Amended:** Filed
September 11, 1996; effective October 16, 1996. **Amended:** Filed
June 4, 1997; effective July 9, 1997. **Amended:** Filed
September 18, 1997; effective October 23, 1997. **Amended:** Filed
September 29, 1998; effective November 3, 1998. **Amended:** Filed
September 7, 1999; effective October 12, 1999. **Amended:** Filed
June 12, 2000; effective July 17, 2000. **Amended:** Filed
March 6, 2001; effective April 10, 2001. **Amended:** Filed
May 23, 2001; effective June 27, 2001. **Amended:** Filed
June 14, 2002; effective July 19, 2002. **Amended:** Filed
November 6, 2003; effective December 11, 2003. **Amended:** Filed
April 15, 2004; effective May 20, 2004. **Amended:** Filed
June 15, 2006; effective July 20, 2006. **Amended:** Filed
January 19, 2007; effective February 19, 2007. **Amended:** Filed
January 29, 2009; effective March 5, 2009. **Amended:** Filed
June 18, 2009; effective July 23, 2009. **Amended:** Filed
January 20, 2012; effective February 24, 2012. **Amended:** Filed
October 18, 2012; effective November 22, 2012. **Amended:** Filed
January 16, 2013; effective February 20, 2013.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-2-.12 Reinstatement Of Lapsed License/Clinic Permit

~~In the event any licensee allows his/her license or permit to lapse and desires to return to active practice, he/she must apply to the Board for a reinstatement of the license or permit and must submit to the Board a reinstatement fee together with all back fees including the highest late renewal penalty. Each applicant shall submit a properly completed Alabama Bureau of Investigation (ABI) Form — 46 and required processing fees for a criminal background report. The applicant shall submit a properly completed ABI Form — 46 and Federal Bureau of Investigation (FBI) fingerprint cards and required processing fees for an FBI criminal background report.~~

~~The applicant must satisfy the Board that he/she is of good moral character and that he/she otherwise possesses all qualifications required by law of licensees or permit holders. Applicants for reinstatement, who graduated from chiropractic college after January 1, 2010, shall submit a transcript they have a bachelors degree from an accredited college or university or an academic graduate degree from a regionally accredited college or university and evidence of passing a nationally recognized standardized test commensurate with the referenced degree. Additionally, the Board may require the applicant to enroll in and pass a refresher course approved by the Board at an accredited chiropractic school. The Board's decision as to whether a course of study will be required and whether a particular course of study will be approved shall be made on an individual case basis and shall be based on all relevant circumstances of that case.~~

Any chiropractor who has not renewed their license by December 31st of any year or who has not reinstated their license by January 31st of the following year who desires to return to the active practice of chiropractic shall submit an application for reinstatement and a nonrefundable reinstatement fee and penalty. In addition, the applicant shall possess good moral character and meet the educational requirements existing at the time of initial licensure. As a condition of reinstatement, the board may require the completion a designated number of continuing education hours, the successful completion of a refresher course(s) at an accredited chiropractor college approved by the board, passing of a law exam or all of the above. The board shall also require any other requirements imposed by any applicable statutory provision.

Any permit holder who has not renewed the permit by December 31 of any year or who has not reinstated the permit by January 31

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

of the following year who desires to continue operation of their practice shall submit an application for reinstatement and a non-refundable reinstatement fee and penalty. In addition the applicant shall possess good moral character and meet the requirements existing at the time the initial permit was issued. The Board shall also require any other requirements imposed by any applicable statutory provision.

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165, 34-24-172.

History: Filed September 30, 1982. **Amended:** Filed June 12, 2000; effective July 17, 2000. **Amended:** Filed November 6, 2003; effective December 11, 2003. **Amended:** Filed June 18, 2009; effective July 23, 2009. Amended: 6/2015

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-2-.13 Replacement License/Permit, ~~Or~~ Name Change or Duplicate.

- (1) Replacement
- (a) Replacement license/permit must be requested in writing. The request for replacement must include the reason for request.
- (b) Replacement license/permit must be marked "replacement license/permit."
- (c) Replacement license/permit should contain date that original license/permit was issued and must be signed by the Board President and the Executive Director and contain the date the duplicate is issued.
- (d) Fee to be set by the Board.
- (2) Change of name on License/Permit.
- (a) Any individual desiring a change of name on their license/permit must notify the Board in writing and enclose the following:
 - (i) The reason for the name change (i.e. the legal document used to change the name.)
 - (ii) Original license/permit, if available.
 - (iii) Fee to be set by the Board
- (b) The original license/permit will be destroyed upon issuance of a new license/permit so marked as "change of name license/permit."
- (3) Duplicate.
- (a) Duplicate license/permit must be requested in writing. The request for duplicate must include the reason for request.
- (b) Duplicate license/permit must be marked "Duplicate license/permit."
- (c) Duplicate license/permit should contain date that original license/permit was issued and must be signed by the Board President and the Executive Director and contain the date the duplicate is issued.
- (d) Fee to be set by the Board.

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-1 - 34-24-6, 34-24-22, 34-24-144, 34-24-165.

History: Filed September 30, 1982. **Amended:** Filed May 18, 1992. **Amended:** Filed January 29, 2009; effective March 5, 2009. **Amended:** Filed April 13, 2010; effective May 18, 2010. **Amended:** Filed June 1, 2011; effective

Alabama State Board of Chiropractic Examiners
Proposed Amended Rule

July 6, 2011. **Amended:** Filed October 18, 2012; effective
November 22, 2012. Amended: 6/2015

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-2-.14 Retirement Of License.

(1) Any licensee who is no longer in active practice may apply to the Board for retirement of his/her license by submitting an affidavit to that effect on a form supplied by the Executive Director.

(2) A retiree is excused from the continuing education requirement of Rule 190-X-2-.11(2).

(3) The annual renewal fee for maintenance of a retired license may not be more than one-half that provided ~~in~~ Rule ~~190-X-2-.11(6)~~ for an active license.

(4) ~~A retired license may be reactivated in the same manner as provided in Rule 190-X-2-.12.~~
A retired license shall be automatically suspended if not renewed on or about January 1st. Any chiropractor whose license is automatically suspended shall be allowed reinstatement if on or before January 31st the chiropractor submits documentation of compliance for conditions of renewal and submits payment of the applicable reinstatement fee. Any chiropractor who seeks reinstatement due to nonrenewal after January 31st shall comply with the requirements of Code of Alabama 34-24-176.

Effective: 6/14/84, (3), (5) amended 8/2003, (4) (5) amended 10/2006, (1) amended 3/2009, (3) (4) amended 6/2013, (4) amended 8/2015

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165.

History: Filed September 30, 1982. **Amended:** Filed May 10, 1984. **Amended:** Filed November 6, 2003; effective December 11, 2003. **Amended:** Filed January 19, 2007; effective February 19, 2007. **Amended:** Filed June 18, 2009; effective July 23, 2009.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

190-X-2-.17 Non Licensed Chiropractic Practice Ownership.

(1) Definition. For the purpose of this rule, practice shall mean an office, clinic or other place that offers or provides chiropractic services which is owned in whole or in part by a non-licensed person or entity.

(2) Permit Required.

(a) A practice shall not offer or provide chiropractic services without all non-licensed owners' first obtaining a permit or renewal permit from the Board.

(b) An applicant for a permit shall submit to the Board an application as prescribed by the Board, along with a permit fee and an examination fee in the amounts set forth by Board Rule. The application must be signed by all owner(s), if a sole proprietorship, or by an authorized representative, if a partnership, corporation, Limited Liability Company or Limited Liability Partnership.

Each applicant shall be of good moral character, a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.

(c) The following information shall be included in the application and upon renewal:

1. The legal name of the practice and street address, telephone and facsimile numbers of the practice;

2. The type of entity (Sole proprietorship, partnership, corporation, Limited Liability Company, or Limited Liability Partnership);

3. The name, address and percentage of ownership of each person or entity;

4. The name and license number of each chiropractor licensed by the Board who is employed or otherwise engaged to offer or provide chiropractic services at the practice. Each such applicant, i.e. the individual or the person most directly involved should be of good moral character.

(d) As a condition of the issuance of the initial non-licensed permit, the applicant if an individual(s) or if an entity the person(s) who will be most directly involved in the operation of the practice shall successfully pass a jurisprudence examination to be administered by the Board.

(e) No permit or renewal will be issued on an incomplete submission. Applications or renewals that are submitted without all of the required documents, information and/or fees will be deemed incomplete and returned to the applicant.

Alabama State Board of Chiropractic Examiners

Proposed Amended Rule

(f) Practice permits shall not be required for licensed hospitals as defined in Sections 22-21-7, Code of Ala. 1975.

(g) Late Fees. A practice which does not renew the permit by September 30 shall pay late fees in the same amount as outlined in Board Rule 190-X-2-.11(8).

(h) Continuing Education Required. As a condition for renewal of a ~~non-licensed~~ permit, the clinic owner(s) if an individual(s) or ~~if an~~ entity the person(s) who will be most directly involved in the operation of the practice shall obtain ~~a minimum of two (2) hours of continuing education in board approved continuing education courses on chiropractic regulations and compliance with the Alabama Chiropractic Practice Act and Board Rules between October 1 and September 30 of each year.~~

(3) Any licensed chiropractor who offers or provides chiropractic services for or in a practice as defined in this rule without said practice having first obtained a permit or a timely renewal shall be considered in violation of the Alabama Chiropractic Practice Act. A practice permit shall be subject to the provisions of the Alabama Chiropractic Practice Act in regard to issuance and renewal of the permit or the acts or omission of any licensed chiropractor employed or otherwise engaged to offer or provide chiropractic services.

(4) ~~Lapsed Permit.~~ A clinic may continue to operate until December 31 of the year for which a permit is issued subject to Code of Ala. 1975, Section 34-24-165(a).

Effective: 10/1/04, amended (7) 10/06, (6) (7) (8) amended 3/08, amended (4) 6/2010, (2) (b) (c) (4) (f) (4) amended 6/2013,

Author: J Ward

Statutory Authority: Code of Ala. 1975, §§34-24-123, 34-24-165.

History: New Rule: Filed December 8, 2004; effective January 12, 2005. **Amended:** Filed January 19, 2007; effective February 19, 2007. **Amended:** Filed June 13, 2008; effective July 18, 2008. **Amended:** Filed June 21, 2010; effective July 26, 2010; (g) (h) (i) amended 11/2013; amended (4) (5) 6/2015

Alabama State Board of Chiropractic Examiners
Proposed Amended Rule

190-X-5-.12 Aiding Unauthorized Practice Prohibited. The Board finds and declares that any licensee who aids, assists, procures or advises any unlicensed person to practice chiropractic as defined in Code of Ala. 1975, §§34-24-120, et seq., engages in immoral, or unprofessional ~~or dishonorable~~ conduct as defined in Rule 190-X-5-.05.

Author:

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165, 34-24-166(2).

History: Filed September 30, 1982.